

## **REMARKS/ARGUMENTS**

Claims 1-28 were pending in this application before the present response.

In response to the final Office Action mailed April 7, 2009, Applicants respectfully request that the Examiner amend the present application in the manner set forth in this Amendment. Applicants respectfully submit that this Amendment After Final Rejection addresses formal matters raised in a previous Office Action, and places this application in condition for allowance by amending (in accordance with suggestions of the Examiner) in a manner that is believed to render all pending claims allowable over the cited art.

Claims 1, 13, and 26 are canceled herein, without prejudice or disclaimer.

Claims 9 and 23 have been amended as suggested by the Examiner. They have been rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2, 6-8, 14, and 20 have been amended to update dependencies.

Claims 27 and 28 have been amended to add the limitations of allowable claims 9 and 23.

The specification has been amended to address the Examiner's rejection under 35 U.S.C. § 101.

No new matter is added by the amendments. Applicants respectfully submit that this Amendment does not add any new features and does not significantly alter the scope of the claims. Entry of the present Amendment is respectfully requested under 37 C.F.R. §1.116.

Claims 2-12, 14-25, and 27-28 are now pending in this application. Applicant respectfully requests reconsideration and allowance of all pending claims, in view of the amendments and following remarks.

### **Claim Rejection - 35 U.S.C. § 101**

The Office Action states "Claim 28 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter." Applicant traverses and amends.

Applicant respectfully points out that claim 28 is limited not just to any computer-readable medium, but to a "**storage medium**" (emphasis added). Applicant's specification, as filed, discloses embodiments that are "(i) . . . stored on non-writable **storage media**", "(ii) . . . stored on writable **storage media**", and "(iii) . . . conveyed to a computer by a communications

medium.” Applicant submits that, as previously amended, the language of claim 28 is limited to (i) and (ii), because the claim limitation to a “**storage** medium” does not encompass (iii).

However, Applicant has amended the specification to address the Examiner’s concerns by more clearly establishing that claim 28 is not impermissibly directed to non-statutory subject matter such as “information conveyed to a computer by a communications medium”, “information downloaded from the Internet”, and “signal-bearing media”. Accordingly, Applicant respectfully requests the § 101 rejection of claim 28 be withdrawn.

### **Claim Rejection - 35 U.S.C. § 103**

Claims 1-8, 13-22, and 26-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,687,095 A (Haskell) in view of U.S. Patent 7,079,582 B2 (Noh) and U.S. Patent Application Publication 200210106022 A1 (Satoh).

Claims 1, 13, and 26 have been cancelled, rendering the rejection moot as to those claims.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 9-12 and 23-25.

The Examiner has determined that claims 9 and 23 contain allowable subject matter. These claims have been amended as suggested by the Examiner: they have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 27 and 28 have been similarly amended to include the limitations of allowable claim 16.

Thus, independent claims 27 and 28, and newly independent claims 9 and 23, as amended, are not unpatentable over Haskell, Noh, and Satoh, separately or in combination. Dependent claims 2-8 and 14-22, as amended, are allowable at least because each of these claims depends from an allowable base claim.

Accordingly, Applicants respectfully request withdrawal of the rejection of claims 2-8, 14-22, and 27-28 under 35 U.S.C. § 103(a).

### **Conclusion**

In view of the foregoing discussion, it is believed that claims 2-12, 14-25, and 27-28 are allowable over the cited art. Applicants respectfully submit that all pending claims, as amended,

are in condition for allowance, and earnestly request that all objections and rejections of the claims be withdrawn and a Notice of Allowance be entered at the earliest date possible.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

Applicants would sincerely appreciate receiving such a call from the Examiner prior to the issuance of any Advisory Action, so that any remaining issues may be discussed and resolved.

Respectfully submitted,

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Date: October 7, 2009

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